

ENTERED

April 25, 2025

Nathan Ochsner, Clerk

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
MCALLEN DIVISION**

BARBARA DENNIS,

Plaintiff,

V.

PHH/OCWEN LOAN SERVICING LLC,
DEUTSCHE BANK NATIONAL TRUST
COMPANY, DOES 1-100,

Defendants.

~~~~~

**Civil Case No. 7:23-cv-00397**

**ORDER**

On April 15, 2025, came to be heard Plaintiff's Motion for Leave to File Second Amended Complaint and Defendants' Motion for Summary Judgment. The Court called the case and found all parties present.

The Court first addressed Plaintiff's Motion for Leave to File Second Amended Complaint.

After reviewing the pleadings and argument of counsel, the Court ruled, for reasons stated on the record, that Plaintiff's Motion for Leave to File Second Amended Complaint should be **DENIED.**

The Court then addressed Defendants' Motion for Summary Judgment.

As a preliminary matter, the Court noted that Plaintiff failed to file a substantive response to Defendants' Motion for Summary Judgment, despite having been given multiple attempts to do so.

The Court then addressed the merits of Defendants' Motion for Summary Judgment.

After reviewing the pleadings, relevant statutes, applicable case law, and argument of counsel, the Court found that Plaintiff was not a consumer as defined by the Texas Deceptive

Trade Practices Act.

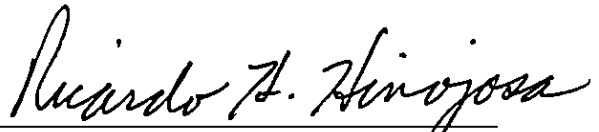
The Court further found that the Consumer Financial Protection Act did not create a private right of action.

Based on the above findings, and for further reasons stated on the record, the Court found Defendants' Motion for Summary Judgment meritorious and ruled that it should, in all things, be **GRANTED**.

It is therefore, **ORDERED, ADJUDICATED, AND DECREED** that all claims asserted by Plaintiff Barbara Dennis against Defendants are **DISMISSED WITH PREJUDICE**.

It is further **ORDERED** that Plaintiff, Barabara Dennis, take nothing in her claims against Defendants.

Signed ths 25th day of April, 2025.

  
\_\_\_\_\_  
HONORABLE RICARDO HINOJOSA  
U.S. DISTRICT JUDGE